

OGC 70-1995

OGC Has Reviewed

30 November 1970

MEMORANDUM FOR: Executive Officer, DD/S

SUBJECT: Benefits for Handicapped Children in
Maryland, Virginia and the District
of Columbia

In accordance with your request of 24 November 1970, listed below are various statutes of Maryland, Virginia, and the District of Columbia, which cover public aid available to handicapped children, excluding visually handicapped and drug addiction cases.

1. Maryland: To meet the needs of any child whose handicap is physical, mental and/or emotional, and whose needs are not met by ordinary school facilities, cities and counties are authorized by Maryland statutes to expend up to \$1,000.00 per child toward the cost of teachers, special equipment, nursing, therapeutic treatment, transportation and other necessary operation costs. In counties or cities which do not provide for special programs for handicapped children, the statute provides that parents will be reimbursed by the State of Maryland up to \$1,000.00 per child for costs of such children attending approved special schools within or outside the state. See Section 100 (a), (b) and (c) of Article 77 of the Code of Maryland.

2. Virginia: The State of Virginia also provides special programs to educate and train physically handicapped, emotionally disturbed and mentally retarded individuals without regard to whether they are of school age. From funds provided by law, the State Board of Education may assist local school divisions to employ and pay teachers to construct special classes for the handicapped, including speech defective children, homebound

children and adults confined to hospitals, and children who require other special instruction whether by reason of mental retardation, cerebral palsy, physical deficiency or otherwise (Title 22, Section 9.2, Code of Virginia (1950)). Any child enrolled in and attending a special class or program mentioned above shall be entitled to transportation to and from such school at public expense (Title 22, Section 9.2:1, Code of Virginia (1950)).

3. District of Columbia: The Board of Public Welfare of the District of Columbia is authorized to make payments in money, medical care, remedial care, goods or services to needy recipients who meet the residency requirements (generally one year immediately preceding application) of the District of Columbia. The amount of public assistance which any person shall receive shall be determined by the Board of Public Welfare. See Title 3 of the District of Columbia Code (1967)

Also, the District Training School has been established for the custody, care, education, training and treatment of feeble-minded persons. Under Section 603 of Title 32 of the District of Columbia Code (1967), a feeble-minded person shall be construed to mean any person afflicted with a mental defectiveness from birth or from an early age, so pronounced that he is incapable of managing himself and his affairs, or being taught to do so, and who requires supervision for his own welfare, and is not insane or of unsound mind to such extent as to require his commitment to Saint Elizabeth's Hospital.

signed

Office of General Counsel

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OGC:JGB:dso

Distribution:

Orig. - Addressee

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